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Def. Doc. 1176

Note to Third Powers Concerning
Military Operations in South China

(Published by the Information Bureau)

(October the 12th, 1938)

The following official document concerning military operations in South China has been sent this 12th day from Foreign Minister KONOYE to Ambassadors and Ministers from various countries in Tokyo.

Sir,

1. With the object of protecting the rights and interests of subjects of third powers, the Japanese Government in an official document dated June 12, previously communicated the following matter as a request of the Japanese Government concerning persons and properties of foreign powers in the area which was most likely to become a theater of land military operations in the future, that is, the area south of the HAILINGHO, and east of the line connecting SILIN, ICHANG, HENGYING and PANHOI:

- A) Persons who are subjects of third powers shall not approach Chinese Military establishments.
- B) Property of third power subjects shall be distinctly marked so that it can be seen from the sky and from the ground, and this shall be promptly notified to the Japanese authorities.
- C) In case Chinese forces make use of the property of third power subjects located within a fighting zone, the Japanese army will be forced to attack it. In such a case, the Japanese forces

will not accept the responsibility of protecting foreign subjects or their properties.

D) From a point of view of preventing various kinds of incidents, it is most desirable that as far as possible the third country people withdraw from the actual fighting zone to a safety zone."

Before the commencement of the forthcoming military operation in the South China area, the Japanese Government again calls your attention again to the above mentioned request and has the honour to request the government of your country to take appropriate measures, especially with regard to the following points.

2. Experience in fighting at SHANGHAI and CHIUCHI NG shows that the Chinese army deliberately established its defence positions adjacent to property of the third powers, or used property of third powers in resisting Japanese forces. Therefore the Japanese forces found it extremely difficult to protect the property of the third country. Accordingly, the Japanese government requests the government of your country to take effective and proper measures to prevent the Chinese forces from resorting to such actions as mentioned above during the coming military operation in the South China area.

In this connection, the Japanese Government takes the view that in case Chinese forces are found next the properties of the third countries, naturally, the Chinese army shall be held responsible for the damages done.

Furthermore, the Japanese Government, although thinking it most

unlikely, eagerly desires that your country will especially endeavour to avoid any act which might lead the Japanese army to suspect that your country is assisting the Chinese side.

3. If the troops, warships, ships, or airplanes of third powers make a move in the territorial waters and in the territorial sky of the Chinese territory all over South China from SHANTON to KAILOI during the military operation of the Japanese army in the South China area, this may lead to unexpected trouble between the Japanese army, warships, ships, and aeroplanes and those of third powers. Therefore, the Japanese Government requests the said countries to avoid this as much as possible. The Japanese Government also desires that in case the army, warships, ships, or airplanes of your country must of necessity make moves in the above-mentioned area, you will notify the Japanese authorities, more than ten days beforehand, if possible, so as to allow for delays in communication and liaison.
4. Finally, considering that the Chinese army may attempt to make use of territory, territorial waters or the territorial sky of third powers, the Japanese Government requests that the government of your country never allow such a plan on the part of the Chinese Army and firmly believes that you will comply with this request. I avail myself of this opportunity to renew to Your Excellency the assurance of my highest regard.

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CERTIFICATE OF SOURCE AND AUTHENTICITY

I, H. YASHI, Kaoru, who occupy the post of Chief of the Archives
Section of the Foreign Office, hereby certify that the document hereto
attached, written in Japanese, consisting of 3 pages and entitled
"Note to the third Powers concerning Military Operations in South China
(Published by the Information Bureau) (October the 12th, 1938). is an
exact and authorized excerpt from an official document in the custody
of Japanese Government (the Foreign Office).

Certified at Tokyo,
on this 4th day of April, 1947.

/s/ H. YASHI, Kaoru (seal)

I hereby certify that the above signature and seal were affixed
hereto in the presence of the Witness.

at the same place,
on this same date.

Witness: /s/ URIBE, Katsumi (seal)

Translation Certificate

I, Charlie S. Terry of the Defense Language Branch, hereby certify
that the foregoing translation described in the above certificate is,
to the best of my knowledge and belief, a correct translation and is
as near as possible to the meaning of the original document.

/s/ Charlie S. Terry

Tokyo, Japan
Date April 29, 1948.

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南支作戦ニ關シ第三國ニ通告ノ件（情報部發表）

（昭和十三年十月十二日）

南支作戦ニ關シ本十二日近衛外相ヨリ在京各國大公使宛左記公文ヲ送附シタ

以書翰陸上致候陸者

一、帝國政府ハ第三國人權益保護ノ見地ヨリ茲ニ六月二十日附公文ヲ以テ帝國政府ノ要請トシテ將來陸上作戰地トナル長大ナル地域即チ黃河以南西安、宜昌、衡陽、北海ヲ連ヨル線以東ノ地域ニ於テ

(イ) 第三國人ハ支那側ノ軍事施設ニ接近セサルコト

(ロ) 第三國人財産ハ空中及地上ニ對シ明瞭ニ標示スルト共ニ之ヲ速力ニ日本官憲ニ通告スルコト

(ハ) 支那軍ニシテ戰鬪區域内第三國人財産ヲ利用スル場合ニ於テハ日本軍ハ已ムヲ得ス之ヲ攻撃スルノ餘儀ナキニ至ルヘク此ノ場合日本軍ニ於テハ其ノ保護ノ責任ヲ取ルヲ得サルコト

(ニ) 第三國人ハ出來得ル限り損害ノ戰鬪區域ヨリ安全ナル地帯ニ立退

クコトハ各種事件發生防止ノ見地ヨリ最も望マシキ次第ナルコト
等ヲ通告セル次第ナル處今次支方面ニ於ケル作戰實施ニ當リ帝國政
府ハ更メテ右通告ニ關シ閣下ノ注意ヲ喚起スルト共ニ特ニ左ノ諸點ニ
關シ貴國政府ノ適切ナル措置ヲ要請スルノ光榮ヲ有シ候

二、上海、九江ニ於ケル駐留ノ經驗ニ依レハ支那軍ハ故實ニ第三國財産
ノ至近距離ニ防禦陣地ヲ構築シ或ハ第三國財産ニ據リテ日本軍ニ抵抗
シタル爲日本軍ハ第三國財産ノ保護ニ極メテ困難ヲ感シタル實情ニ有
之從テ帝國政府ハ今次支方面作戰ニ於テハ支那軍ヲシテ右ノ如キコ
トヲ爲サシメサル様貴國政府ニ於テモ有效適切ナル處置ヲ講セラレン
コトヲ要請致スモノニ有之候

此ノ點ニ關シ帝國政府ハ若シ支那軍カ第三國財産ノ至近距離ニ存在ス
ル場合ニ於テハ其ノ被害ニ對スル責任ハ當然支那軍ニ於テ之ヲ負フヘ
キモノナリトノ見解ヲ持スルモノニ有之候

尙帝國政府ハ莫々無之次第トハ存スルモ貴國側ニ於テ日本軍ヲシテ貴
國力支那側ニ好意ヲ與ヘツツアリトノ疑惑ヲ抱カシムル如キ一切ノ行

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動ヲ避ケラルル様特ニ配慮アラシコトヲ切望致候

三、帝國政府ハ日本軍ノ今次南支方面作戰中汕頭ヨリ北海ニ至ル南支一
帶ノ支那領土、領海及領空ニ於テ第三國ノ軍隊、艦船及飛行機ノ行動
スルコトハ帝國軍隊、艦船、飛行機トノ間ニ不慮ノ過誤ヲ惹起スル
アルニ付當該國ニ於テ出來得ル限り之ヲ避ケラレンコトヲ要望スルモ
ノニシテ若シ已ムテ得ス貴國軍隊、艦船及飛行機カ右地域ヲ行動スル
場合ハ通信連絡ノ關係上可成十數日ノ餘裕ヲ以テ帝國官廳ニ通告セラ
レ度候

四、最后ニ帝國政府ハ支那軍ニ於テハ第三國ノ領土、領海及領空ヲ利用
セントスルコトアルヲ以テ圖リ難キニ鑑ミ貴國政府ニ於テカカル支那軍
ノ企圖ハ極端ニ之ヲ警告セラレサルヘキコトヲ確信シ且要請致スモノ
ニ有之候

右申進奉本大臣ハ茲ニ云ネテ閣下ニ向テ敬啟ヲ表シ候

敬 具

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文書ノ出所竝ニ成立ニ關スル證明書

自分、林學ハ外務省文書課長ノ職ニ居ル者ナル處、茲ニ添付セラレタル
日本語ニ依ツテ書カレ三頁ヨリ成ル南支作罷ニ關シ第三國ニ通告ノ件（情
報部發表）（十月十二日）ト題スル書類ハ日本政府（外務省）ノ保管ニ
係ル公文書ノ正確ニシテ眞實ナル寫シナルコトヲ證明ス

昭和二十二年四月八日

於東京

林

學

右署名捺印ハ自分ノ面前ニ於テ爲サレタリ

同日於同所

立會人 浦 部 勝 馬